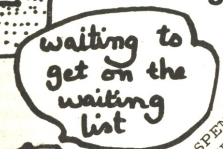
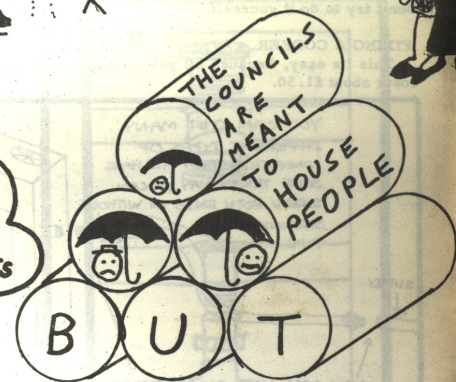


SQUATTER'S

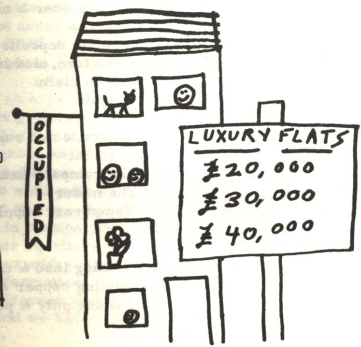


HANDBOOK

JULY 1974



IN 1973 THE GLC SPENT MORE MONEY
PAYING BACK INTEREST ON LOANS
THAN IT COLLECTED IN RENTS.
IN 1974/5 IT WILL BORROW £330M AND
COLLECT £175.8 M IN RENT.



WHAT'S INSIDE

1. SQUATTING GROUPS AND USEFUL CONTACTS.

3 FINDERS KEEPERS.

FINDING A PLACE

MOVING IN:..... Changing the lock
The Neighbours

6 SQUATTING AND THE LAW.

ENTRY..... Forcible Entry Act 1381
Theft, Criminal Damage & Burglary
Conspiracy to Trespass
What to do when the police arrive
OCCUPATION..... Legal status of squatters
Services: gas, water & electricity

11 LOSERS WEEPERS: EVICTION.

POLITICAL PRESSURE

IN COURT..... The worst that can happen
Fighting eviction in the courts
Support & advice
Talking in court
The procedure
"Reasonable steps"
Identifying yourself
Serving the summons
Delaying the warrant of possession

OUTSIDE THE COURTS, THE EVICTION ITSELF

Court bailiffs
Can you be evicted without a court order?
Barricading your squat
A devious tactic
The police at evictions

19 SQUATTERS AND SOCIAL SECURITY.

How much can you get?
Fixed addresses
Householder & non-householder
Rates
Security deposits for services
Furniture, clothing etc.
How to claim
Appeals

21 ELECTRICITY..... Disconnected supply

Payment
The company head
The meter
Temporary supply

24 WATER

PIPES..... Joining lead & copper
Joining copper & poly
Joining poly & poly

CISTERNS
BALL COCKS
BOGS

GAS..... Fixing a cooker

SQUATTING GROUPS & USEFUL CONTACTS



Squatting groups usually do more than advise people about squatting. They aren't social work agencies, and most don't like to be used like that. They are groups of people helping each other. Let them know how you get on. They usually meet to advance campaigns over specific issues to do with housing. The success of these campaigns, and this often means the defence of a particular squat against eviction or harassment, depends on the amount of active support from other squatters in the area. To put it another way, if you don't have any problems squatting, you might do soon, and it's a drag when people who have isolated themselves from activities suddenly come running for help. Don't try and do it alone.

In London, All London Squatters meets fairly regularly to exchange information from different areas and to discuss specific issues. FSAS or local groups know the time and place of the meetings.

If you want to squat in an area that we haven't listed a contact group for, don't worry- we've probably left it out. You can always talk to a group about squatting, and move into a different area. And, if you want to work with a group, you can always set one up. As empty houses often come in clumps you are likely to discover other squatters there. Or, if you give your address as a contact address to an information place (like FSAS) they'll discover you. If you know of any groups that we have left out please let FSAS know.

LONDON SQUATTING GROUPS

NORTH LONDON

CAMDEN 220 Camden High St., NW1
28 Camden Rd., NW1
36 Southampton Rd., NW5 485 3828
FINCHLEY: 12 Arkwright Mansions,
206 Finchley Rd., NW3 794 4194
HORNSEY: 31 Hornsey Rise Gdns., N19
ISLINGTON: 51 Hildrop Rd., N7 607 8981
TOLMERS SQ: 102 Drummond St., NW1
387 4004

EAST LONDON

BOW: 46 Addington Rd., E3
EAST STEPNEY: 62 White Horse Rd., E1
790 2373
23/25/36/41/52 Parfett St., E1 247 1269
WALTHAM FOREST: 166 Chelmsford Rd E17
WALTHAMSTOW: 31 Appley Rd., E17
TOWER HAMLETS: 7 Aston St., E14

SOUTH LONDON

BRITTON: 207 Railton Rd., SE24 733 8663
CRYSTAL PALACE: 47 Crystal Palace
Park Rd., SE26
HERNE HILL: 3 Deerdale Rd., SE24 7332742
STOCKWELL: 295 Clapham Rd., SW9
WEST LONDON
MAIDA HILL: 19 Elgin Ave, W9 286 2186
71 Watterton rd., W9
TWICKENHAM: 387 Latimer Rd., W10

SQUATTING BY ARRANGEMENT

FSAS (mainly families and information):
44 Nelson Sq., SE1 261 1477
SCH (mainly single people): 17 Prince of
Wales Cres., NW1 485 8213 or 267 4622

OUT OF LONDON GROUPS THAT HELP PEOPLE SQUAT

BATH/TROW BRIDGE:47 Gloucester Rd., Trowbridge, Wilts. Trowbridge 62952
 BRIGHTON:2 Gloucester Rd., B'ton 64243
 BRISTOL:Community Housing, 16 Osbourne Villas, Cotham Bristol. Mon-Fri 35035ext9
 BOLTON:35 Davenport St., Bolton, Lancs. Bolton 382227.
 CARDIFF:Housing Action, 108 Community Bookshop, 108 Cathys Rd., Cardiff.
 COVENTRY:Housing Action Group, 31 Primrose Hill St., Coventry.
 CREWE:175 Market St., Crewe 75748 or 66159
 DEAL:16, Clanwilliam Rd., Deal, Kent.
 LEICESTER:16 Roslyn St., 25991 or Sue at Link 22254
 MANCHESTER:Student Community Action University of Manchester Union, Oxford Rd., Manchester 2735111 ext 37
 NORWICH:22 Mancroft St., Norwich
 NEW CASTLE:18 St. Thomas's Cres., Newcastle 1. 20609
 OXFORD:42 Wellington St/44 Bernards Rd.
 PORTSMOUTH:Student Community Action, Portsmouth Poly, Union House, St. Paul's Rd., Portsmouth 25835
 PLYMOUTH:170 North Rd West, Plymouth
 REDDITCH:19 Park Rd, Redditch, Worcs Redditch 69950
 SUNDERLAND:55 Toward Rd, Sunderland Co. Durham
 STOCKPORT:320 Wellington Rd North, Stockport, Cheshire
 SWINDON, WILTS:11 Farringdon Rd 28545
 TUNBRIDGE WELLS:56 York Rd 34247
 WATFORD:15 Harwoods Rd/192 Hagden Lane 922921
 WINCHESTER:3 Southview
 WORKINGTON:67 Bolton St.

BIT INFORMATION SERVICE:146
 Gt. Western Rd., W11 229 8219/0
 RELEASE(emergency legal help):
 1 Elgin Ave., W9 289 1123

LAW CENTRES

BALHAM:92 Balham High Rd., SW12 673 3731
 BRENT:161 Church Rd., NW10 451 1122
 CAMDEN:146 Kentish Town Rd NW1 485 6672/3/4/5
 ISLINGTON:161 Hornsey Rd., N7 607 2461
 LAMBETH:505-508 Brixton Rd., SW9 733 4245
 NORTH KENSINGTON:74 Golbourne Rd., W10 969 7473
 PADDINGTON:465 Harrow Rd W10 9699425
 STEPNEY GREEN:Dame Colet House, Ben Jonson Rd., E1 790 6721
 WEST STEPNEY:59 Watney St., E1 790 6311
 WOOLWICH:317 8665

COVENTRY:62 Lewis Ford St 23051
 LIVERPOOL:Lime Kiln Lane, Liverpool 5. 207 2004.

A lot of towns have part time legal advice centres. To check if there's one where you want one contact local groups, Bit or a London law centre.

Up Against The Law, 66, York Way N1.

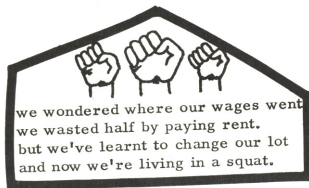
PRESS LIST

A local press list would be too vast to include, so here are the numbers of national papers that usually give sympathetic coverage to squatting events.
 Workers Press:01 720 2000 (Workers Revolutionary Party, Daily)
 Socialist Worker:01 739 1870 (International Socialists, Fridays)
 Red Weekly:01 837 6954 (International Marxist Group, Fridays)
 Time Out:01 278 5481
 The Guardian:01 837 7011
 Peoples News Service 119 Railton Rd., SE24. 01 733 8652. (A weekly news bulletin that goes mainly to left groups and alternative local papers. Send in reports of events to them by Friday night)

FINDERS³ KEEPERS



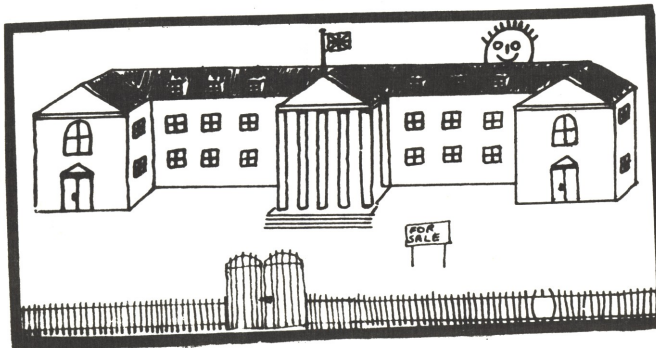
FINDING A PLACE



we wondered where our wages went
 we wasted half by paying rent.
 but we've learnt to change our lot
 and now we're living in a squat.

Most empty houses are owned either by the Council or privately. In either case it may be intended that they stand empty for a number of years- for example, when the Council buys houses in an area which it plans to redevelop on a large scale. It's worth finding out who owns the house you want for several reasons: because of the different political statements made by squatting in Council and privately owned houses, and because of the way you are most likely to be evicted. (see below.)

You can find out whether the house is owned by the Local Authority by phoning the planning department enquiries office, or the G.L.C. by phoning the area office of the Housing Department. If it is Council owned, you can also find out when they intend to use the house, i.e. how long you



may be able to stay there. This is public information, but sometimes hard to obtain- so it's advisable to have a cover story to hide the fact that you're a squatter.

There are various ways of going about finding a place to squat.

1. Tramp the streets of the area where you want to live, possibly after consulting the redevelopment plans at the planning department.

2. Consult your local squatting group, or local squatters.

Some people think that because they are squatting they are lucky to find any old house and last there a few months. This isn't so. Everyone has a right to decent housing. Take what you fancy, if you look around for long enough, you are bound to find a house in good condition in roughly the right area, and intended to stay empty for some time.



CHANGING THE LOCK

When you find a place you want, change the lock. This way you, and nobody else, have easy access. Do this immediately-you can do it in broad day light. It is perfectly legal so long as you do no damage to the door or old lock.

You're now in occupation. It's a good idea to have some furniture with you when you occupy a house. It helps to show the neighbours and the police (see below) that you are squatters, not vandals or burglars.

THE NEIGHBOURS

It's a good idea to explain to your neighbours what you're doing and why. Firstly because antagonistic neighbours can harass you in a number of ways. Like, for instance, by calling the police: this has been known to lead to the police nicking people for absurd reasons like slight criminal damage. Or by complaining about your behaviour to the owner, thereby giving them a public excuse for evicting you. Or bricks through the windows, or ripping you off.

These last two are rare, and seem to stem not only from prejudice, but from the incorrect belief that as squatters you are not entitled to the same protection by the law as anybody else.

Secondly, sympathetic neighbours can be valuable support: for instance in dissuading owners from evicting you, or in giving you cups of coffee or baths before your services are connected. More generally, by squatting you are challenging fundamental values about property and the rights of owners. It can be politically worthwhile and fruitful to discuss this challenge with your neighbours. It may be the first time they have thought about such things. Some squatters have managed to set up or join squatters and tenants associations.

Before talking to the neighbours it is probably worthwhile considering the objections they might feel to you. Here are a few that we have come across. Although your reply would depend on your specific situation, we include a range of possible ones as they might help.

I've worked all my life to pay, among other things, rent. It's disgusting that you lot just take somewhere over.

-It's disgusting that so much of people's time is taken up earning enough to pay someone for somewhere to live.

-I couldn't find anywhere to rent.

-I can't afford to pay rent.



You're the beginning of the end of our street.

This feeling has been known to be strong enough to cause local people to form vigilante squads to gut (=destroy) houses the moment they become empty. Sometimes it's pure prejudice. In which case it might help to turn the tables -why?-and to show that they are wrong by cleaning up the garden and the front of the house as soon as you move in. But sometimes this feeling is more easily understandable -especially in areas of council redevelopment. Probably the people in the street knew the people who used to live in your house and who were, often against their will, evicted by the council. Often the remaining tenants are those who offered most resistance to being rehoused. Empty houses in their street are overwhelming evidence that their struggle, or cause at least, is being lost and that their community is coming to an end. From this perspective, squatters are part of the council redevelopment plan. Sometimes the positive arguments for squatting can change people's minds. Depending on the situation, certain actions can be taken. You could support the tenants, or start a struggle against the council plan, or support them in their demands for the type of rehousing offered.

Our housing problem is bad enough without people from different areas moving in.

-We've moved into empty houses, we're not aggravating the housing problem.

-Are you really saying that people should be made to live where they were born? Where were you born?



You're just jumping the Council waiting list.

If you don't have any kids then the Council waiting list in most areas isn't applicable to you. If you do have kids then in a sense you are jumping the queue, because the Council will probably rehouse you. But, given that your house was empty you are not affecting the people on the list.

-Isn't the whole idea of having to wait for housing wrong?

-How about the system of priorities in the waiting list?

-Think how less desperate the waiting list situation would be if more people took things into their own hands and squatted.

BUT THERE'S ALWAYS SYMPATHETIC PEOPLE SOMEWHERE NEAR..... TENANTS AND SQUATTERS ARE ON THE SAME SIDE OF THE FENCE.

SQUATTING THE LAW



We have only attempted to outline the different ways in which the law may affect squatters. The law is extremely complicated, and our version of it is simplified. So if the law comes across you we advise you to take legal advice (preferably sympathetic, see list of law centres). We have made suggestions of ways to avoid or overcome some of the problems that the law presents to squatters: they are only suggestions, think what you like of them.

We have tried to cover all the different ways the law can affect squatters, but this does NOT mean that the law will affect you. Most squatters only come across the law when they are being evicted. It is very hard to predict whether the police will bring one charge or another against squatters. It seems to depend upon the mood of the police, their relations with the owners of the squatted houses and the Gas and electricity boards, and the political activities of the squatters. Because you cannot predict the role of the police it is probably worth taking precautions against committing offences.

Some squatters have used the courts to fight for what they and their solicitors considered to be their legal rights. It should be remembered both that the courts protect the right of ownership of property and not squatters, and that decisions taken in court affect all

squatters not just those who go to court. If you are thinking of going to court you should consider the implications very carefully, not only with your solicitor but with other squatters and squatting groups. One example of a disastrous result of squatters fighting for what they thought were their legal rights was the Denning decision (see below).

ENTRY

You should be especially careful entering the building in which you intend to squat since otherwise you may lay yourself open to having a number of criminal charges brought against you.

FORCIBLE ENTRY ACT 1381

If you enter a building forcibly you render yourself liable to prosecution under this Act, and probably also under the Criminal Damage Act. It is not forcible entry to go through a window (without breaking it) or to open a door with a key, or to lift a latch or withdraw a bolt. If you choose a house which is already vandalised you may avoid entering forcibly. People who want to squat a house that requires breaking into forcibly sometimes break in inconspicuously, leave and come back to look round a while later. This way if someone sees them breaking in and calls the police, they are less likely to be about when the police arrive.

THEFT, CRIMINAL DAMAGE, AND BURGLARY.

THEFT (THEFT ACT 1968)

Remember that things lying around the house or garden, e.g. coal, actually belong to the owner of the property, and you may be charged with theft if you steal them. (see below for theft of electricity etc.)

CRIMINAL DAMAGE (CRIMINAL DAMAGE ACT 1971)

It is an offence to destroy or damage property belonging to another either intentionally or recklessly.

This is the criminal offence squatters have most often been charged with, although even this charge is rarely brought.

Removing corrugated iron sheets is criminal damage. People have even been charged with doing criminal damage to a window frame by leaving holes in it after taking off the corrugated iron. So it is advisable to do all repairs (e.g. fill up the holes) as you go along.

BURGLARY (THEFT ACT S. 9(1)(a)&(b))

A person can be convicted of burglary if:
1) she/he enters a building as a trespasser (a squatter is a trespasser: see below) intending to steal anything from the building or to do unlawful damage to the building or anything in it.
or 2) having entered the building as a trespasser she/he steals or attempts to steal anything from the building.

Attempts to commit any of the above offences are also crimes.

CONSPIRACY TO TRESPASS

Trespass (see below under status of squatters) is a CIVIL matter, not a crime, but conspiracy is a CRIMINAL offence. Lord Hailsham laid down in the case of Kamara and Others:

"A combination to trespass becomes indictable if the execution of the combination necessarily involves and is known and intended to involve the infliction on its victims of something more than purely nominal damage. This must necessarily be the case where the intention is to occupy the premises to the exclusion of the owner's right, either by expelling him altogether or otherwise effectively preventing him from enjoying his property."

As yet no squatters have been charged with conspiracy. However it would only seem to be a matter of time before such a charge is brought against them. Unlike many other criminal offences conspiracy is easily proven on a small amount of evidence. The police must prove an agreement to squat, this might be difficult if they only discover squatters already in a house. Conspiracy has been used increasingly against those regarded as politically undesirable (eg the Shrewsbury Three).

WHAT TO DO WHEN THE POLICE ARRIVE.

Civil matters (as opposed to criminal ones) are no concern of the police. You should therefore tell the police, if they arrive, that you are intending to live in the building without doing damage or stealing anything, and as such may be a trespasser, but as this is a civil offence, it is none of their business. You are not obliged to go to the police station unless you are arrested, and if you are arrested, you must be told you are being arrested and for what offence. Nor are you obliged to talk to the police at all. Normally the police go away when they find out that you are squatters and that you know that they have no right to interfere.

Immediately after you are in, it may be a good idea for someone to go and telephone the police to inform them that you are squatting in the building concerned. This will probably stop them coming. In addition you should tell your neighbours exactly what you are doing and why, since it is often they who call the police, out of fear, or prejudice against squatters.



the legal status of squatters

OCCUPATION

LEGAL STATUS OF SQUATTERS

In a recent Court of Appeal case (McPhail v Persons Unknown, 1973) Lord Denning stated that squatters are trespassers at all times and therefore always guilty of a civil wrong since it is unlawful to trespass.

He said, "They (the squatters) were trespassers when they entered, and they continued as trespassers so long as they remained there." The reason for this being that "a squatter does not gain possession until there has been something like acquiescence in the physical fact of his occupation on the part of the rightful owner."

If the rightful owner shows 'something like acquiescence' a squatter becomes a licensee and is no longer a trespasser. It's not quite clear what would count as 'something like acquiescence' other than straightforward permission itself. What is clear is that a license is not created unless the owner intends to create one.

A squatter will become a tenant where rent is regularly accepted by the owner.

The significance of these differences in status is most relevant to evictions, (see below).

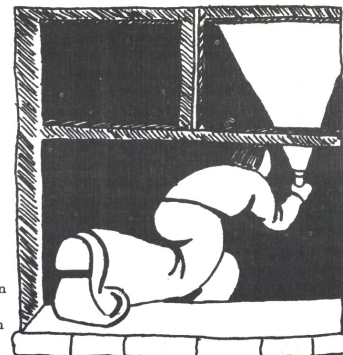
Footnote on Legal Status of Squatters

On 28 June The Law Commission published a working paper on changing the law relating to the entry and occupation of property. It suggested that squatting and any occupations (eg student sit-ins, factory work-ins) should be made criminal offences. It is a threat to make the homeless and militant demonstrators criminals.

The Law Commission advises the Lord Chancellor who then advises the Government on whether to change the law through Parliament. The Law Commission is asking for comments on its paper by Jan. 1 1975. It will then write another paper and then the Government will consider it. So there is no prospect of any change in the law for at least a year.

DON'T BE MISLED BY PEOPLE WHO TELL YOU THE LAW HAS BEEN CHANGED, IT HASN'T. Moreover it was the last Conservative Government that asked the Commission to look into the possibilities of changing the law, so if we keep a Labour Government the change is less likely.

A joint squatters/T. U. campaign is being launched against the proposals, so any developments will have quite widespread publicity. A copy of the working paper can be bought at Her Majesty's Stationery Office. For details of the campaign contact any London squatting group.



SERVICES: GAS, WATER, ELECTRICITY

These will probably be disconnected when you move in. There are two main hazards when reconnecting them.

A. Section 13, Theft Act.

It is a special offence to steal electricity under Section 13 of the Theft Act. So they are more likely to charge you with stealing electricity than any other service.

A way of precluding the charge is to write a recorded delivery letter or go immediately to the boards concerned, asking for a supply, and perhaps even leaving a deposit.

B. Refusal to reconnect squatters.

Normally the boards treat squatters as any other consumer and fulfil their duties of supply to 'owners and occupiers' under the following acts:

Electric Lighting (Clauses) Act 1899, s.22
Water Act 1945 Sch. 3, Pt. VII para. 30.
Gas Act 1972 Sch. 3 para. 8

Recently, however, the situation has become more complicated. Several councils have called that duty into question by forbidding the London Electricity Board entry into some squatted houses they owned. This meant that the LEB would be trespassing if they came into the houses to read meters or check the circuits to reconnect. Some squatters summonsed the LEB to court under the above act. The magistrate ruled against the squatters on February 8 1974. A magistrate's ruling doesn't set a legal precedent, so there is nothing incorrect about still supporting a squatter's claim to electricity by reference to the above acts. But it does mean that the boards are likely to push their luck. The Gas Board could soon get up to the same tricks; we hope that nobody will reply in the same way.

Way people have found round this.

There are probably lots, but here are some that people have tried:

1. Some people put down deposits anyway and keep check on the amount of electricity used. The electricity boards may not accept them, the squatters go on offering money, always enough to cover the amount of electricity used.

10

This helps to cover them against hazard A above. This method has the disadvantage of letting the board know you are using electricity. Sometimes they cut the electricity off from the road. Ways of counteracting this are: picketing the spot to stop the men from digging the road up, and, preferably before it happens, attempting to get a resolution passed by the local branch of the electricians union or Trades Council in support of all squatters. This means that the workmen can refuse to do the job with full union backing.

2. Some people risk being charged with stealing electricity and once the deposit has been sent back, keep it and continue to use electricity. Some people keep a record of the amount of electricity they use; and even a 'money box for electricity' to help in court if they are charged i.e. they intended to pay when the board dained to come round and treat them like normal consumers. But the idea behind this method is that the board forgets about them.

3. Some people simply reconnect the supply themselves and steal it.

4. Various types of action have been used to persuade the boards to reconnect supplies. The occupation of an electricity board showroom in Notting Hill Gate in January caused the GLC to lift their restrictions on the LEB of entry into some houses in Maida Hill. (The GLC did this despite the fact that the magistrates court case was about the same houses.) Direct action is markedly, and obviously, more successful and less expensive than recourse to the courts.

COSTS OF RECONNECTION

1. Deposits can be, and are often, asked for from squatters by the electricity and gas boards. But see 'Squatters and Social Security'.
2. There should be no charge for reconnection unless the nearest mains is more than 50 yards (electricity) or 30 feet (gas) away.

LOSERS' WEEPERS: EVICTIONS



POLITICAL PRESSURE

Before even receiving a summons you may become aware of plans for your eviction. As soon as you get such a whiff you should start organising to resist your eviction. There are a number of reasons for resisting evictions, these are some most often used:

1. There are no definite plans to start work immediately on the house or to put it to use.
2. The owners plan to use it to increase their profits: sometimes squatters aim to force the Council to buy the house.
3. The Council plans for the area/house are not those desired by the people.
4. Anyway the Council should give you another house.
5. You have nowhere to go.

Pressure can be exerted by creating bad publicity for the potential evictors. It is worth researching into the owner and his intentions for your house. Neighbours, local squatters, the Planning Dept. (where applications for planning permission to alter the house would be kept) and the local newspaper are useful starting points for research.

Publicity can be got from talking to people, leafleting, taking round petitions, putting up posters and banners, and holding demonstrations, pickets and occupations.

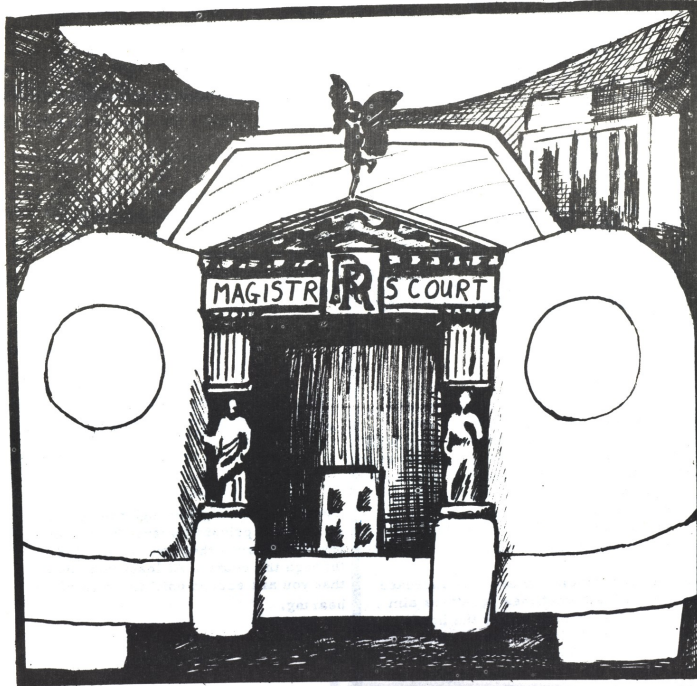
IN COURT

Councils always go through the courts, so do most private owners. It is worth trying to insure that you are evicted through the courts. At least you know that you are secure until the date of the hearing.

THE WORST THAT CAN HAPPEN....

The courts used are CIVIL not CRIMINAL courts. This is because squatting is not a crime. Civil courts have nothing to do with the police or prisons. The worst that can happen to you is that you lose and be told to pay the owner back for what it cost to evict you. But usually owners don't ask for costs and even if they do the judge might not grant them. The

more you annoy the owner and the judge the more likely you are to have costs granted against you. On the other hand the more sympathetic you can make the judge the less likely he is to award costs against you.



FIGHTING EVICTION IN THE COURTS

The courts are there to protect the owners of property, not the people who need to use it. So don't expect much joy from the courts. But squatters can win cases so it is worth fighting them.

THE MOST IMPORTANT THING TO REMEMBER is that costs are very difficult to enforce, especially if you haven't identified yourself too well. If you win in court you can ask for costs against the owner.

SUPPORT AND ADVICE

The courts are designed to make you feel alone and scared. The details of any court case are complicated and made hard to understand unless you have help. Get help and support from your local squatting

group. With it you should have no reason to feel alone, scared or mystified. Get legal advice, you can get it free. But use legal advice carefully. Lawyers have their own interests at heart, not necessarily yours. Also they tend to see things just in terms of the law, not in your terms or their social context. Lawyers can be useful to find out technical things, explain legal procedures etc.. If they give you advice ask them the reasons for it. The fact that lawyers are experts does not necessarily mean their advice is right.

TALKING IN COURT

You can get a barrister to talk for you. One advantage of this is that, especially out of London, judges take barristers more seriously than they do you. But you have to make sure that they say what you want them to. It is your right to tell them to shut up and to take over at any point. Some people think that it is worth talking for yourself, at the very least for the experience of it. You are entitled to a 'McKenzie' with you if you do. This is somebody of your choice to advise you.



THE PROCEDURE

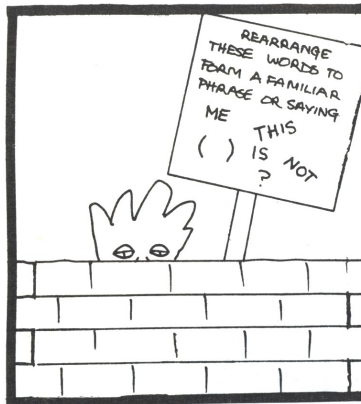
The most likely method of eviction is under Order 26 (County Court) or Order 113 (High Court) which provide for the speedy eviction of squatters. The owner has to follow quite a complicated series of rules. Since the Denning ruling on the McPhail case the only way to win in court is on the basis of these technicalities. He ruled: "What is a squatter? He is one who, without any colour of right, enters on an unoccupied house or land, intending to stay there as long as he can. He may seek to justify or excuse his conduct. He may say that he was homeless and that this house or land was standing empty, doing nothing. But this plea is of no avail in law." (Weekly Law Reports 13/7/73, p. 74, para. B.) We outline below the rules, and the possibilities they offer for squatters, very briefly. We have left out a lot of detail for two reasons. Firstly, each case is different, the only way to check completely for mistakes is to discuss your case with your local squatting group and lawyers and to compare it with a copy of the Order. Secondly, this handbook will get into the hands of the owners. If they know what mistakes to look out for, they won't make them. The references refer to judgments in the Court of Appeal that might be useful to back up points in court.

"REASONABLE STEPS"

These orders enable the owner to evict occupiers whose names he doesn't know, provided that he has taken 'reasonable' steps to find them out. Different judges seem to interpret 'reasonable' to mean different things, varying from a lot of research to a single half-hearted visit to the house. Recently only a little research has been considered sufficient. But see 9 Orpen Rd. judgment (1971 Weekly Law Reports Vol. 1 pp. 166-168) which although somewhat outdated may be useful.

IDENTIFYING YOURSELF

The longer the 'steps' to identify you take, the longer eviction may take. But the more likely you are to have costs granted against you by the court. You cannot defend yourself if you are not identified. You can at any time identify yourself, right up to the time of the hearing.



SERVING THE SUMMONS

A copy of the 'summons' to come to court and an 'affidavit' stating the reason for the summons and the steps taken to identify the squatters have to be delivered sent or left at the house for each squatter. If some of the occupants are unidentified the summons must also be displayed in a conspicuous place on the premises for at least 7 clear days before the hearing in court.

In cases of emergency the owner can apply to the court to have the 7 days reduced. This is rare. If he does, the appeal judgment in the case of *Mercy v Persons Unknown* may help. (Times Law Reports June 4 1974).

However some judges consider that the Denning decision does not stop them ordering a delay between the possession order and the warrant of possession. Figgis J. did this for 10 days in the case of *Westminster Council v Bovill & Persons Unknown*, 10/5/1974.

DELAYING THE WARRANT OF POSSESSION

If the owner wins the court case, he can at any time get a warrant or writ of possession and use the court bailiffs against you. Since the Denning ruling the courts do not have the power to give you time in your house once you have lost the case: "The court cannot give any time. It must at the behest of the owner make an order for the recovery of possession. It is then for the owner to give such time as he sees right to the squatters. They must make their appeal to his goodwill and consideration, and not to the court's." (Weekly Law Reports 13/7/73 p. 76, para. E.)

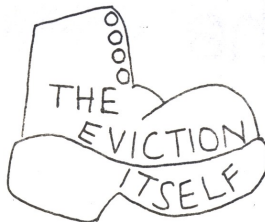
But there are various ways that you can use the courts to delay the coming of the bailiffs:

- 1) If an Order 113 has been used against you, you can apply for that to be changed to an Order 26 on the grounds that it is cheaper. If you are successful, quite unlikely, a later date for a hearing in the County Court will be set.
- 2) Some judges adjourn cases as a means of getting round the Denning ruling to give squatters time. You can perhaps persuade them to do this by making them sympathetic: introduce the social and political aspects of your case into the court. They will probably be ruled irrelevant so you have to keep trying. The political climate seems to be right for attacks on property speculators. Tales of nasty deeds done by the owner are probably a good line of attack.



Appeals are dangerous. An appeal gives the appeal court judges the chance to 'clarify' the law relating to squatting. Their ruling on the appeal, their 'clarification', becomes binding on the courts. It affects EVERY SQUATTER IN THE COUNTRY. Most appeals go against squatters. Even those that haven't have contained 'clarifications' that are harmful to squatters. An appeal is

OUTSIDE THE COURTS



15

therefore not a matter for any individual household to decide upon. Approval should be sought from the greatest number of squatters possible. To go ahead alone is to be a pawn in the isolate, divide and rule policy that the courts so effectively execute.

Beware of lawyers' advice on this: they aren't squatters and have nothing to lose by a lost appeal, in fact they may have a large fee to gain. The owner will ask for and get vast costs against squatters for a lost appeal.

But this is what happens if you appeal. The decision of the court is not put into action until after the appeal. To do this you ask for a 'stay of execution' of the order of possession immediately you have lost the case. You then apply for 'leave to appeal' where you have to outline your grounds for appeal. If both are given then the actual appeal will probably take a couple of months to come up. You can withdraw from the appeal if you want. If you do this before the papers have been filed with the court then you have no costs to pay. If you do it after then you can probably make a deal with the owner to drop costs.

COURT BAILIFFS

If the possession order is ignored, a writ or warrant of possession can be taken out at any time calling in the bailiffs, although sometimes no further action is taken, or there is considerable delay before it is taken.

Before forcing an entry the bailiffs should request that the door be opened. After this they can enter in whatever way they can. However they must only use 'reasonable' force in evicting you and your property otherwise they will be exceeding their legal powers. (for 'reasonable' see below.) If more force than is reasonable is used on you then you can sue for assault. If your property is damaged because unreasonable force is used, then you can sue for that.



spot the
difference

In *McPhail v Persons Unknown*, Lord Denning advised owners to go through the courts to evict squatters and local authorities have so far always done this. However he also said it is legal for owners themselves to evict squatters at any time without warning, and in order to do this, they may use 'reasonable force'. Some private landlords have chosen this method. 'Reasonable force' means "no more force than is necessary

to effect the expulsion" (*Hemmings v Stoke Poges Golf Course*, 1920). So if you put up resistance the owner's heavies will be entitled to use more force than if you put up no resistance. However, they are probably not allowed to seriously injure you (except in self-defence) under any circumstances. They are entitled to remove your property provided that a reasonable degree of care is taken, (*Hemmings v Stoke Poges Golf Course*).



BARRICADING YOUR SQUAT

WHY BARRICADE? SOME REASONS:

1. To fight invaders-however, there seems to be a low rate of success here although it has sometimes scared owners into not attempting the eviction.
2. For publicity.
3. To provide a focus for activity.

If you decide to defend your squat, make sure you have plenty of support and if possible the media under control.

BUT....

Resisting eviction comes to the crunch with the choice of physically defending your house or not. Rather than coming to blows some people leave peaceably when the bailiffs arrive, but move back in a few days later. Generally speaking this method is more likely to be successful than the other, because bailiffs break through barricades eventually if they want to.

The legal position on re-occupation of houses without a court order on them stays the same.

This is the position on re-occupation of houses with a possession order on them:

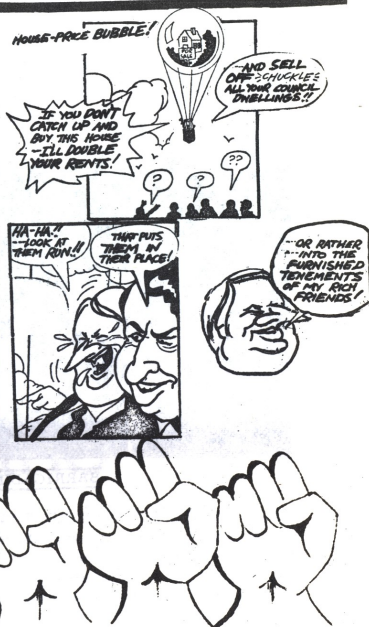
A possession order that hasn't been executed lasts for one year, provided that the owner hasn't applied for an extension. Execution implies that the bailiffs have been used. So if you intend to go and come back, it is important to stay in the house until the bailiffs arrive to 'use up' the possession order. The owner must then get another order before the bailiffs can come back. The situation generally is no different from the first occupation. However, people whose names are known to the court and are the same in both occupations may be in contempt of court. The procedure for doing you for contempt of court is as follows. The Owner must apply to the court and give you notice that he has applied. He has to show the judge that you are in contempt, i.e. both that you are the same person as in the first court hearing, and that you are in occupation (not, for instance, a visitor). The penalty for contempt is imprisonment until you have 'purged your contempt'. So if it is proved that you are in contempt but you can show that you'll move out then you won't be sent to prison. In any case it is extremely unlikely that anybody but known political activists would get sent down for contempt. The police should have nothing to do with any of this.

THE POLICE AT EVICTIONS

The police cannot evict you yourselves or help others evict you.

However they may be present at any eviction to prevent a breach of the peace (affray, riot, assault/battery). If there is a breach of the peace, they may arrest you.

You may also be arrested for forcible detainer under the Forcible Entry Act 1429. This is the offence of forcibly resisting, or preparing to forcibly resist the landlord's attempt to re-enter premises you have entered peacefully. An intention to use force must be shown so you won't be guilty just because you have bolted the door or put up barricades.



squatters and social security

HOW MUCH CAN YOU GET?

The basic rates for a person on social security are as follows:

Married couple.....	£13.65
Single householder.....	£8.40
Other person aged	
18+.....	£6.70
16-17.....	£5.15
13-15.....	£4.35
11-12.....	£3.55
5-10.....	£2.90
under 5.....	£2.40

PLUS: Rates if they are being paid.

PLUS: Long term addition for OAP's and all claimants, except the unemployed, who have been claiming for more than 2 years:

Married couple.....	£2.70
Single householder.....	£2.00
Other person 18+.....	£1.70
Boarder.....	.10

DEDUCTIONS AND DISREGARDS: Family allowance, family income supplement, maintenance, sickness or unemployment benefit, pensions and invalidity benefit are deducted in full. But up to £2 of part-time earnings and up to £800 of savings may be ignored.

OTHER DENIALS: The wage stop, the industrial misconduct rule, the four week rule, the cohabitation rule, strike breaking rule, married women denial etc.

FIXED ADDRESSES

People who are squatting may be told by the SS that they can't have any money because they haven't got a fixed address. Particularly in areas where squatting is a new thing, they might say that a squat is only a temporary address or not a secure address etc.



This is just an excuse not to pay out and should not be accepted. If the SS want proof that the address you give is actually your address (you won't have a rent book to prove it) then a letter addressed to you at that address is sufficient. The simplest thing is to send a letter to yourself. This is all the proof they need.

HOUSEHOLDER & NON-HOUSEHOLDER

Having proved that the squat is a fixed address, the next problem may be convincing the SS that you are a householder. From the list of basic supplementary benefit scale rates above you can see that there's a different rate for a householder as opposed to a non-householder. The SS will often try to pay you the non-householder rate and tell you that a householder is someone who pays rent. Don't swallow this! Everybody should get the full householder's rate.

-One way to convince them is by getting the Rates office to accept you as ratepayer for the house or part of it. This is easily done. Just go along to the local Rates office and tell them that you want to pay rates for the house you occupy. Don't worry about the extra cost as the SS will have to meet this in full. A rates bill in your name or confirmation from the Rates office that you are a ratepayer normally means that the SS accepts you as of "householder status".

-Another way is to tell the SS that the non-householder status is meant for young people living at home with their parents, and you are clearly not dependent on any other person in the house, i.e. you do your own cooking and pay for the gas and electricity you consume. Here you might have bills in your own name.

RATES

Most people squatting live collectively. If you have a rates bill take it to the SS. They have to pay it-either directly in a lump sum to the rates office or in a weekly amount to you. To avoid the SS paying householder rate to only one person in the house, then the rates bill should be made out in the names of all those on SS so that each gets the householder's rate. If the SS know that some people in the house are working they will deduct a share of the rates for them.

SECURITY DEPOSITS FOR GAS & ELECTRICITY

Quite often the Gas and Electricity people will ask you to pay a security deposit of £10 or £20 before connecting the supplies. Always demand that the SS pays these for you. What happens in practise is that the SS gets on to the Gas or Electricity board and come to an agreement, or give you a letter to give them. The SS don't usually pay the money, but then neither do you.

FURNITURE, CLOTHING ETC.

Whatever the SS may say, squatters are entitled to 'exceptional needs' grants for furniture, clothing, crockery etc.. In the past the SS have often refused these grants on the grounds that a squat is temporary or insecure accomodation. This must not be accepted. Many squatters in the East End have won furniture, sink units etc. from the SS. One simple rule here is CLAIM FOR EVERYTHING YOU WANT.

HOW TO CLAIM

Sign on at your local labour exchange, ask for a B1 form which you take to your local supplementary benefit office. If you are a single parent, a pensioner or sick you don't have to sign on. Work out how much money you should get each week.

NEVER MEET THE SS ALONE

If you're on your own the SS cheat and bully,* but together we're strong and can get from them everything that we're 'entitled' to and more. Always go with a friend. You can take your friend into the interview with you. Collective action at the SS works wonders. The appearance of a half a dozen or so people demanding to see the manager has a remarkable effect on changing decisions only made a short time ago.



APPEALS

A lot of people prefer mass occupations to appeals as a way of fighting back. We think you should always appeal against decisions you disagree with. After all each appeal costs them about £30 to administer. We have no illusions about the impartiality or fairness of the appeals tribunal. We know whose side they're on. But SS decisions can be reversed on appeal, and lots of goodies like vacuum cleaners, special diets etc. can be won. SS appeals don't have the disadvantage of appeals in courts that they affect everybody.



SOURCE: Adapted from the East London Claimants Union handout.

ELECTRICITY

DISCONNECTED SUPPLY

One of the first things you're going to need is electricity. It's likely that the supply will have been disconnected. There are three ways this may have been done:

1. Cut off in the road. Signs of this are freshly laid tarmac a few feet into the road directly in front of the house. Or there may be "LEB OFF" written on or near the front door. If it has been cut off in the road, it'll cost alot of money and trouble to get it turned on again. It's probably best to move on to another house.

2. Cut off at the COMPANY HEAD or the METER. The supply (see diag. A) normally comes into the hall or the basement. There'll be a large cable running into the house from the street, into a box called the COMPANY HEAD. There may be live wires dangling from it. If they are still connected, follow them to the METER and CONSUMER UNIT.

3. No fuses in the CONSUMER UNIT. (see diag. D)

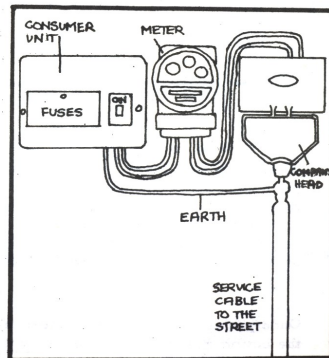
PAYMENT

You may be able to persuade the LEB to fix up your supply if there are loose wires. Anyway, if you want to pay for the electricity you'll be using, you have to go down to the nearest LEB showroom and sign for a supply. They'll take your name and address, and details of the kind of supply you need. And then they'll inspect and reconnect your meter and the company head: the responsibility for the wiring etc. beyond the meter is yours. The LEB will read the meter, and then you can start using the electricity. Unless you have a coin meter, you'll have to pay a deposit which shouldn't be more than £10, and then pay the bills quarterly. The

LEB may try to insist that you have a coin meter, but this makes the electricity more expensive, so argue them out of it.

If the supply in your house is already on, or if you want to use it before the LEB come round, this is what the installation should look like:

(Electrical installations vary so there's a selection given in the diagrams.)

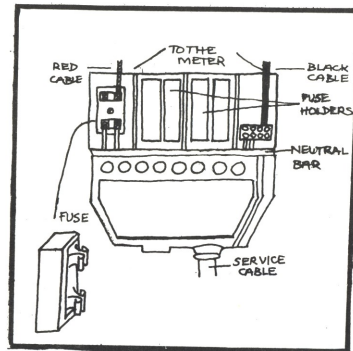


A: ELECTRICITY SUPPLY



THE COMPANY HEAD.

Before doing anything, take the mains' fuses out of the company head. (see diag. B) Be careful. The amount of power in the head is very dangerous. There'll be a thick cable coming in from the street to the bottom of the head, and a red and a black cable will run from it to the meter.



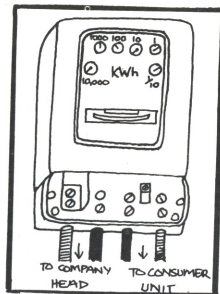
B: THE COMPANY HEAD

There may be 3 fuses, which means that the supply is divided into 3 phases so that the flow of electricity is constant. 3 phases are needed where there'll be a heavy load. The voltage can be as high as 500 volts here, so be VERY CAREFUL.

Once you've got the fuses out, test that the bottom contacts are live only with a neon mains tester. If the light comes on, you've got electricity coming into the house. BE CAREFUL. If the light doesn't come on, then the electricity must be cut off in the road.

THE METER.

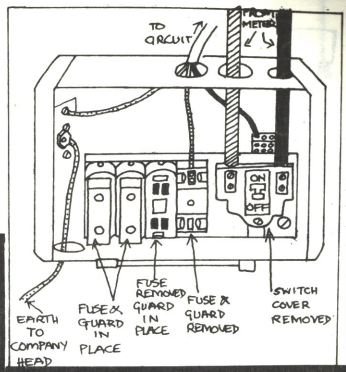
The head and the meter belong to the LEB and normally will be sealed with a wire seal. So that they know if the meter has been by-passed. Occasionally the meter is removed when a house is disconnected, but it will be returned when the supply is reconnected.



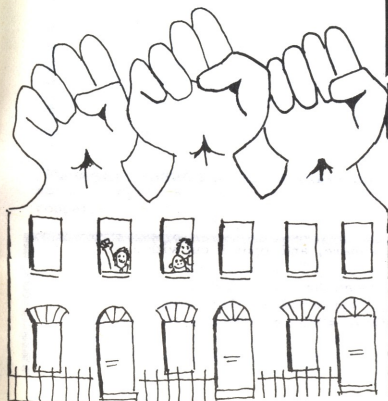
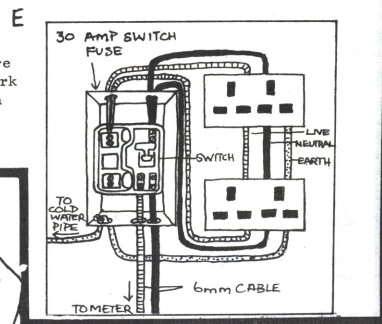
C: THE METER

CONSUMER UNIT.

If a consumer unit is fitted, the circuits should be fairly new. A consumer unit would indicate 30 amp ring mains for the sockets. Remove the fuse cover and look for the rating (amps) of each fuse—5 amp for light circuits, 30 for ring mains, and any that will be used for radial circuits to cookers or immersion heaters. You should then check all the circuits throughout the house.

TEMPORARY SUPPLY.

If you have electricity as far as the meter but all the wiring from there looks hopeless, or the lights don't work you can wire several plug boards with fuse boxes to take extension leads throughout the house.





If the water isn't on already, it may be turned off by a stopcock where the mains enter the house. This is usually in the hall or in the basement under the front door. If there's still no water when you open that, follow the line of the pipe towards the road. There will be another stopcock covered by a small iron plate set into the pavement or in the garden. You need a special tool to turn this on, but if you can't improvise or borrow one, the Water Board will come and do it for you.



Once you've got the water on, check that there aren't any leaks as lead pipes have often been ripped out.

If you do need more pipes, although some Water Boards don't like you using polythene pipes where there's mains pressure, they're much easier and cheaper than lead or copper. The poly pipe you need is low-density Grade C, which is $\frac{1}{2}$ " inside diameter and $\frac{3}{4}$ " outside diameter. It costs about 3p a foot (in fact you'll probably have to buy it in coils of 20 metres or so) from:

(South London) Stanley Works, Osborne Road, Thornton Heath
(653 0601)

(North London) 45 Duck Lees Lane, Ponders End (804 7121)
Specify British Standard 1972 class C as they have hundreds of different kinds.

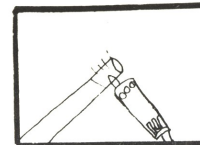
You'll have to join the poly pipe to lead at some point. There are two ways of doing this, and for both you have to go via copper piping. If you can get the following, the best way is solder a piece of copper inside the lead. You'll need: blowlamp, hacksaw, screwdriver, solder, fluxite, jubilee clips, olives, file or wire wool, turnpin (or something to open the end of the lead pipe up) wiping cloth (or brown paper), tallow. You'll also need a pair of footprints or a wrench for taps.

JOINING LEAD TO COPPER.

A. Soldering.

If the lead pipe's broken off, cut it off square, and open it out with a turnpin, so that a piece of $\frac{1}{2}$ " copper will go about 1" inside. Clean out the inside of the lead pipe and the burrs round the edge. Tallow the inside of the pipe. Get a 5-10" length of $\frac{1}{2}$ " copper pipe. Cut it square, and clean about 4" of it very well with a file or wire wool, otherwise the solder won't stay on it.

25

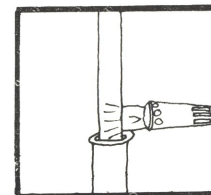


Heat copper with blowlamp.
Smear with flux.

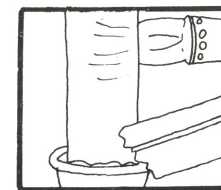


While copper is hot, rub solder (Tinmans) all round. Wipe it smooth with a cloth.

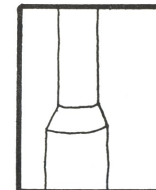
The next bit, which is difficult but essential to do well, is easiest if the lead pipe is pointing upwards, and both pipes secure. You could hammer nails into the wall, and tie the pipes to the nails.



Push copper into lead as far as it'll go. Heat both pipes, though be careful as the lead may melt.



Still heating the copper, rub the bar of solder (plumbers metal) on the copper and in the cup made by the lead pipe so that the solder builds up and fills the cup.



Wipe the solder smooth with a cloth.

You may find it easier to get the solder to stay in the cup if you start off by heating the lead pipe and a bar of Timman's solder simultaneously and then wiping the solder inside the lead pipe. Then push the copper in etc..

If the lead wasn't pointing upwards, and you can't bend it up (careful it may break) it's much harder to make the joint. As you'll need one hand to hold the solder and one hand for the blowlamp, you'll need a friend to hold the copper (with a cloth) in place. You have to be careful, as the copper pipe will be loose until the solder has cooled hard. Certainly whenever you're bending the pipes, don't put any pressure on the copper.

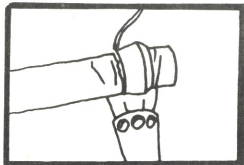
B. Araldite.

Push a piece of copper into the lead pipe until it's about 2" in- you may have to widen the lead, or crush the end of the copper to get it started.

Take the copper out, clean the outside of it and the inside of the lead very well. Mix up some Araldite and coat the outside of the copper and the inside of the lead with it. Push the copper into the lead and leave overnight.

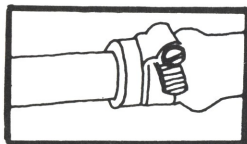
JOINING COPPER AND POLY.

To do this you have to solder an olive onto the other end of the copper pipe. It's probably best to do it before you join the copper and lead, so that you don't bend the copper too much.



Clean the copper well, heat it, then smear with flux. Push an olive over the end, $\frac{1}{2}$ " - $\frac{3}{4}$ " along. Heat the pipe, apply Grade A wire solder smoothly all round the olive. Wipe it all smooth so that there are no bumps or burrs.

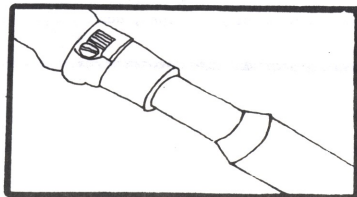
Cut the poly pipe square and run a jubilee clip up it. Put the end of the pipe in boiling water, or heat it slowly and carefully with a blowlamp, candle or matches. Push the pipe gently over the copper (you may have to keep heating it) until it's a few inches over the olive.



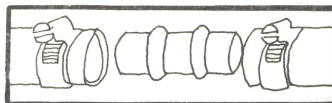
Push the jubilee clip back down the pipe till it's just past the olive, tighten it as far as possible. It has to be really tight; if there's a leak when you turn the water on, you can put a second olive on.

If you can't get hold of a blowlamp, you can try to compress an olive onto the copper. You can buy a nut with an olive already inside it (it fits onto a $\frac{1}{2}$ " copper fitting, e.g. a tap.) Take the piece of copper pipe you're using, and slip first the nut then the olive over the end. Push the pipe into a spare tap and tighten the nut as tight as you can over the tap thread. Unscrew it again, slip it off the other end, and the olive should be left compressed onto the pipe when you take it out of the tap.

When you've joined the poly pipe to the copper, and the copper to the lead, you should have something that looks like this:

JOINING POLY TO POLY.

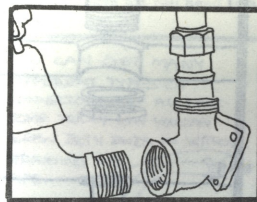
Buy a straight connector. Slip Jubilee clips over the two poly pipes.



Heat the pipes and push them over the connector. Tighten the Jubilee clips.

CONNECTIONS.Taps.

The best thing is to buy a (female) iron to (compression) copper elbow. Screw the tap into one end, using Boss White, string or hemp to seal. Take

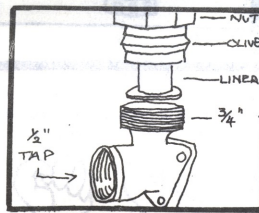


the nut and olive off the elbow, slip them over a length of copper pipe and tighten the nut over the olive back onto the elbow. Then you can join a length of poly pipe onto the copper as above.

Cisterns.

You do the same as for a tap. There'll be a threaded male iron inlet to the cistern (or you can buy the whole valve fitting). You use a compression nut to fit a copper pipe to it.

You can connect poly pipe to a tap without using copper. You need to buy a (female) $\frac{1}{2}$ " iron to $\frac{3}{4}$ " copper compression fitting. One end screws onto the tap, and the poly pipe fits into the other end, as poly pipe has a $\frac{3}{4}$ " outside diameter. The principle is the same as for copper pipe, but as the poly pipe



will be crushed by a nut, you need a liner, which looks like a little open ended top hat, or just a short piece of copper, to slip inside the poly, so that the olive can be compressed onto it.

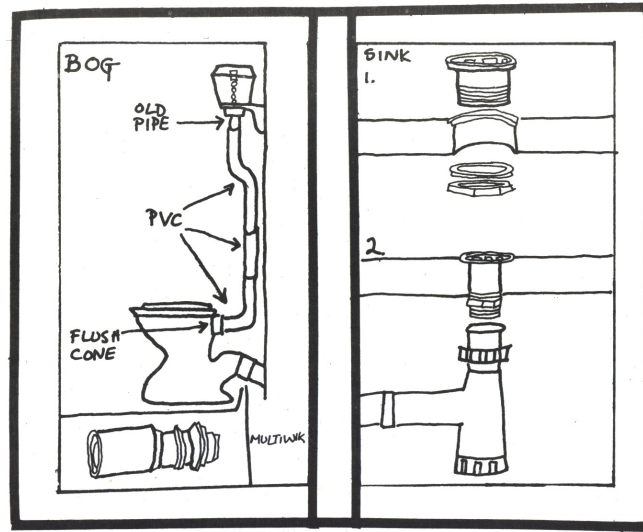
Make sure, whether you use copper as well as poly or not, that the fitting you buy has a back plate so that you can screw it into the wall. Also, make sure to clip any poly pipes you use to the wall.

BALLCOCKS

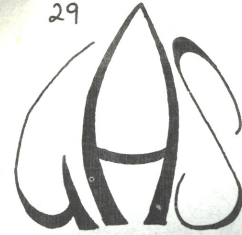
Most bog cisterns are connected to tanks - with a low water pressure. If you want to connect your bog to the mains, which is high pressure, the cistern may overflow. You can adjust the float arm by bending it downwards. If that doesn't work, you'll have to get a new one.

BOGS

There's not much pressure from the cistern to the bowl, so you can use sections of PVC which you can buy with the right bends in them. You'll also need a rubber flush cone which fits over the end of the PVC and onto the pipe into the bowl. You then need a MULTIWIK connector for the waste pipe - it has ridges of different sizes so that it fits all kinds of pipes.



For sinks and drains you can get a wide variety of PVC pipes of various diameters that simply push one inside another. Use soap so that they slip in easily.

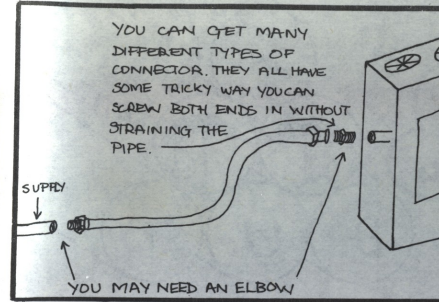


Gas is dangerous, so don't try anything you don't understand. Turn off the gas at the mains stopcock, and check for leaks before and after doing anything. Have someone who knows what they're up to check what you've done.

If there's no gas meter, or there are parts missing, get advice from the Gas Board. Don't try to do it yourself.

FIXING A COOKER.

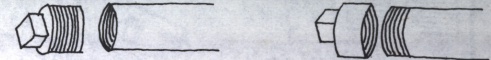
This is easy, because all you need is a flexible rubber connecting pipe, which costs about £1.50.



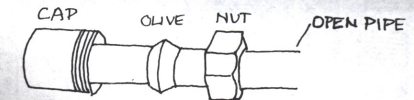
SMEAR BOSS WHITE ON THE CONNECTIONS.

OPEN ENDS.

If the pipe is iron, you can use a plug for an open female end, c. a cap for an open male end.



For copper, you can get blanks made up of a threaded cap, an olive and a nut.



When you've done the gas work, turn off everything. Turn the gas on at the mains and see if the meter registers any gas flowing through. If there is, turn the gas off at the mains and check everything again.